

**CITY COUNCIL MEETING
CITY OF WATERTOWN
February 1, 2010
7:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

PRESENT: **COUNCIL MEMBER ROXANNE M. BURNS
COUNCIL MEMBER JOSEPH M. BUTLER, JR.
COUNCIL MEMBER TERESA R. MACALUSO
COUNCIL MEMBER JEFFREY M. SMITH
MAYOR GRAHAM**

ALSO PRESENT: **MARY M. CORRIVEAU, CITY MANAGER
ATTORNEY ROBERT J. SLYE**

The City Manager presented the following reports to the Council:

- 1- Approving "NYS Department of Transportation Update: Projects, Permits, Procedures" on February 24, 2010, as Valid Training for Meeting the New York State Municipal Planning and Zoning Officials' Training Requirement
- 2- Approving the 21st Annual Local Government Conference Workshop on April 1, 2010, as Valid Training for Meeting the New York State Municipal Planning and Zoning Officials Training Requirement
- 3- Approving a Professional Services Agreement With Lu Engineers for the Design of the Franklin Street Sidewalk Project
- 4- Approving Agreement Between the City of Watertown and State of New York, Unified Court System
- 5- Authorizing Sale of Real Property, Known as 525 Main Street East to Sam W. Ratnaransy, 534 Pearl Street, Watertown, New York 13601
- 6- Authorizing Sale of Real Property, Known as 531 Main Street East to Sam W. Ratnaransy, 534 Pearl Street, Watertown, New York 13601
- 7- Authorizing Sale of Real Property, Known as 659 Main Street East to Mahmut Tandogan, 4 Knoxville Court, Groton, Connecticut 06340
- 8- Authorizing Sale of Real Property, Known as 575 Water Street to Mahmut Tandogan, 4 Knoxville Court, Groton, Connecticut 06340
- 9- Authorizing Sale of Real Property, Known as 563 Water Street to Mahmut Tandogan, 4 Knoxville Court, Groton, Connecticut 06340
- 10- Authorizing Sale of Real Property, Known as 555 Water Street to Mahmut Tandogan, 4 Knoxville Court, Groton, Connecticut 06340
- 11- Approving the Site Plan for the Construction of a 19,230 sq. ft. Hospice Office and Residential Center at 1398 Gotham Street, Parcel No. 13-18-103.200
- 12- Establishing Assessment Charge for Sidewalks, Spring 2010 Pursuant to Section 93 of the City Charter
- 13- Finding that Changing the Zoning Classification of 1175 and 1185 Water Street, Parcels Nos. 04-27-501.006 and 04-27-501.005 From Light Industry to Neighborhood Business Will Not Have a Significant Impact on the Environment

- 14- An Ordinance Authorizing the Issuance of \$50,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Construction or Reconstruction of Sidewalks at Various Locations Within the City
- 15- 7:30 p.m. – Public Hearing on 2010 Small Cities CDBG Application
- 16- 7:30 p.m. – Public Hearing Approving the Zone Change Request Submitted by Vernon Johnson to Change the Approved Zoning Classification of 1175 Water Street and 1185 Water Street, Parcels Nos. 04-27- 501.006 and 04-27-501.005, From Light Industry to Neighborhood Business
- 17- 7:30 p.m. - Public Hearing on Request for a Special Use Permit to Allow a Sweat Furnace Operation at 301 Pearl Street, Parcel No. 04-01-101.000

COMPLETE REPORTS ON FILE IN THE OFFICE OF THE CITY CLERK

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of January 19, 2010 was dispensed with and accepted as written by motion of Council Member Smith, seconded by Council Member Butler and carried with all voting in favor thereof.

PRIVILEGE OF THE FLOOR

No one spoke.

COMMUNICATIONS

From Gregory Mahan, 585 Water Street, concerning the recent auction of city owned property. He questioned who decides when it is fair to hold a private sale or when to hold a public auction.

ABOVE PLACED ON FILE

The following claims against the City were received:

1. From National Grid for damage to a one inch plastic gas service located at Commerce Street and Gaffney Drive. It is alleged that it was hit and damaged by a City of Watertown Water Department employee.
2. From Ross & April Pixler for damage to their vehicle when it was allegedly struck by a City of Watertown vehicle. They previously rejected the proposal from the City's auto insurance carrier.

ABOVE CLAIMS REFERRED TO THE BOARD OF AUDIT

PUBLIC HEARINGS

AT 7:30 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING HOUSING AND COMMUNITY DEVELOPMENT NEEDS IN THE CITY AND CONSIDERING AN APPLICATION FOR SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR THE 2010 COMPETITION THROUGH THE NYS OFFICE OF COMMUNITY RENEWAL.

Mayor Graham opened the public hearing.

Mr. Mix distributed an informational sheet to everyone present. The sheet outlined the grants that had been received through the program since 1979. He explained that, lately, these programs have been administered on a city-wide basis in order to make those resources available to the properties where the assistance is needed most.

Mayor Graham closed the public hearing at 7:33 p.m.

AT 7:30 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING THE 2009-2010 SIDEWALK IMPROVEMENT SPECIAL ASSESSMENT PROGRAM.

Mayor Graham opened the public hearing.

Wayne Zimmer, Katherine Street, addressed the chair commented that when the sidewalks are going to be done, the City needs to make sure that the people know just what they are getting.

Mayor Graham closed the public hearing at 7:35 p.m.

AT 7:30 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING THE SPECIAL USE PERMIT REQUEST SUBMITTED BY COWLCO ALLOY & METALS, INC. TO ALLOW A SWEAT FURNACE OPERATION LOCATED AT 301 PEARL STREET, PARCEL NO. 04-01-101.000.

Mayor Graham opened the public hearing.

Ron Toper, owner of property abutting the proposed site, addressed the chair in opposition to the special use permit. He referred to a newspaper article that stated the business was not expected to create harmful emissions. He also referred to a quote from a member of Council concerning the creation of 20 jobs. He remarked that he could not see granting this permit. He expressed concerns with pollution, traffic and property values.

George Toper, owner of property abutting the proposed site, addressed the chair remarking that one of the biggest problems now is the traffic to and from Fort Drum. He stated that adding to the traffic with large trucks would make things impossible.

Charles Stafford, owner of Stafford Machinery Corp, addressed the chair in support of the special use permit.

Attorney Thomas Blair, representing Cowlco, addressed the chair explaining that the site is perfectly situated for this business. He also explained that it would be day time trucking only. He also advised that the traffic signal is directly in front of the property and there is ample turning space. He explained that they plan to use only about 5 acres for the business. In the beginning, with one furnace, there will be 12-14 employees. If another furnace is added, there will be 20-25 jobs. He referred to an informational sheet from Recycling Services International, LLC written by Dave Conway outlining the fact that the furnace is designed to eliminate any waste product. Everything that comes out of the furnace is a finished product sent to a mill for final processing.

Mayor Graham remarked that the building has been the subject of some nefarious activities over the years, referring to the most recent arson at the site.

Ron Trottier, owner of the building, addressed the chair explaining that the roof and windows have been repaired and the property has fully met all requirements through Codes. Mr. Trottier is leasing the building to Cowlco with a purchase option. He explained that the entire parcel is 15 acres and will all be included in the lease. The building is 75,000 square feet. He explained that in the recent past, the building was used to construct railway equipment. He also advised that he had leased the building four years ago for the same type of operation as is being proposed. He stated that it had one furnace with a capacity that was well in excess of what is being proposed now.

Council Member Burns asked about the 5 acres as opposed to the 15 acres being leased.

Attorney Blair explained that the principle operation is inside the building and is approximately 5 acres.

Mayor Graham asked about the amount of traffic this business would generate.

Attorney Blair responded that it will be truck traffic. While it will be same type of traffic as in the past, the amount of it will be less. It will be standard tractor trailers.

Mayor Graham referred to a handout that was given out to the neighbors over the weekend. He asked what assurance we have that piles of aluminum won't be outside.

Attorney Blair responded that they had agreed to the conditions for the special use permit and one of those conditions was that the entire operation had to be indoors. This operation takes all of the material that can blight a landscape and will process it so it avoids a landfill. Everything is reclaimed, reused and sold on the open market.

Mayor Graham remarked that the neighbors are concerned with the residue from the burning.

Attorney Blair explained that there is a bin that will be used for drainage and separation of the residue.

Mayor Graham asked about the blocks of solid aluminum.

Frank Conklin, plant manager, addressed the chair explaining that the aluminum will be saved up, inside the plant, and full truck loads will be sent to customers. He also explained that the remaining ash will be shipped to another company's furnace and more aluminum will be reclaimed.

Council Member Butler remarked that he supported this as chair of the EDZ. At the same time, he remarked, he would like to see everyone get a fair shake. He commented that he thinks the traffic questions need to be asked. Council Member Butler also referred to the letter from the estate of Glenn E. Baldick. The letter is included in the cover report. He asked about the number of inspections that are required.

Attorney Blair advised that the business must keep the EPA certification valid.

Mr. Conklin advised that the manufacturer of the furnace is required to inspect the furnace every 6 months.

Council Member Butler asked about the difference in the original 4000 furnace and the new 6,000 one.

Mr. Conklin explained that the only difference is the capacity of the furnace.

Council Member Butler asked about the height of the smoke stack.

Attorney Blair advised that it is four feet above roof line.

Council Member Smith asked if Route 283 is part of the state highway system.

Mr. Trottier responded that it is a county route.

Council Member Smith remarked that he is aware of the neighbors' concerns. He also advised that he is very much into alternative energy. He stated that he has talked with people at Fort Drum's cogeneration plant. They advised that a lot of farmers take the spent ash and use it on the fields. He remarked that this is a heavy industrial area and there has always been truck traffic going to and from Fort Drum. The business is adhering to codes, planning, zoning and the EPA. He remarked that it is incumbent upon us to allow industry to operate in an industrial zone. Council Member Smith referred to the Baldick letter concerning the proposed sale of city property and questioned where that was.

Mrs. Corriveau remarked that the City isn't looking at selling any property associated with this property.

Attorney Slye remarked that the letter makes reference to a provision of the Code involving recycling businesses. This wouldn't apply in this case. This is a junkyard – the building and the area outside. This is a smelting operation. The Council has jurisdiction because of the definition of junkyard and smelting operation. He advised that the user conditions in the resolution are exactly what the special use permit is all about. Council has to talk about use and character of use in the area.

Mayor Graham remarked that the concerns he has are outdoor activity and adherence to federal and state regulations on emissions. He asked if the concerns are sufficiently regulated in the resolution.

Attorney Slye said that they were. It has a five year expiration date and the company can then reapply at which time, Council could relook at it.

Attorney Blair advised that improvements will be made to the building. They had also checked the traffic history and there were no recorded accidents there from truck traffic.

Council Member Butler asked if it was going to be a 24 hour operation.

Mr. Conklin responded that while they would like to at some point, to begin with the shifts would be 8 – 10 hours.

Attorney Blair commented that the ingress/egress is on the Black River side.

Council Member Butler asked if the furnace had been purchased.

Attorney Blair responded that they were waiting for a favorable response from the City before ordering it. They would like to be up and running by mid-March.

Council Member Butler asked who people could contact if they have questions concerning this operation.

Attorney Blair suggested contacting Kathie Cowles or Frank Conklin. He explained that the EPA could be contacted as well.

Council Member Butler commented that we need to create jobs, especially manufacturing and we are also trying to keep people happy where they live. He remarked that he would like to give it a couple of weeks and educate the people who are currently opposed to this.

Council Member Burns commented that she is not sure that this would diminish the value of their properties. She asked if the City Assessor had been part of the discussion.

Mrs. Corriveau stated that he hadn't been.

Council Member Burns remarked that she feels he should be involved.

Attorney Blair responded that underutilized and brownfield sites are low assessments. Building improvements would improve and add value to the neighborhood.

Franklyn Cowles, Sr., owner of Cowlco Alloys & Metals, address the chair stating that they have been in business in the City for 30 years and have always worked very closely with Codes. He stated that here we have a site that is going to waste and should be used to its full potential.

Mayor Graham asked if there were anymore comments. No one else addressed the chair.

Attorney Slye advised that if this was going to be continued until a later date, he suggested continuing the public hearing which would allow others to speak at a later date. Once the hearing is closed, a decision has to be made within 62 days.

Attorney Blair remarked that if the furnace order isn't placed soon, they will go behind others placing orders.

Council Member Smith stated that Council owes it to them to vote on it tonight. They are in heavy industry and have reached out to the neighbors.

Council Members Macaluso and Burns agreed with Council Member Smith.

Mayor Graham closed the public hearing at 8:31 p.m.

AT 7:30 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING THE ZONE CHANGE REQUEST SUBMITTED BY VERNON JOHNSON TO CHANGE THE APPROVED ZONING CLASSIFICATION OF 1175 WATER STREET AND 1185 WATER STREET, PARCELS NUMBER 04-27-501.006 AND 4-27-501.005 FROM LIGHT INDUSTRY TO NEIGHBORHOOD BUSINESS.

Mayor Graham opened the public hearing.

No one spoke.

Mayor Graham closed the public hearing.

RESOLUTIONS

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS Chapter 662 of the New York State Laws of 2006, which took effect on January 1, 2007, requires all municipal planning and zoning officials to have four hours of training per year, and

WHEREAS the training must be approved by the City Council before it can be used to meet the training requirement, and

WHEREAS the Center for Community Studies at Jefferson Community College, Jefferson County, and the New York State Tug Hill Commission are co-sponsoring a workshop entitled "NYS Department of Transportation Update: Projects, Permits, Procedures" for local planning officials on February 24, 2010 at Jefferson Community College,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that the "NYS Department of Transportation Update: Projects, Permits, Procedures" workshop is approved to provide two hours of training toward meeting the New York State municipal planning and zoning officials' training requirement.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEAS

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

WHEREAS Chapter 662 of the New York State Laws of 2006, which took effect on January 1, 2007, requires all municipal planning and zoning officials to have four hours of training per year, and

WHEREAS the training must be approved by the City Council before it can be used to meet the training requirement, and

WHEREAS the New York State Tug Hill Commission, HSBC Bank USA, and National Grid are co-sponsoring a day of training sessions at the 21st Annual Local Government Conference for local planning officials on April 1, 2010 at Jefferson Community College,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that the 21st Annual Local Government Conference Workshop is approved to provide up to five hours of training toward meeting the New York State municipal planning and zoning officials' training requirement.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEAS

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS the City of Watertown has funds through the 2007 Small Cities Community Development Block Grant to reconstruct the sidewalks in the first block of Franklin Street, and

WHEREAS Lu Engineers has been selected through a Request for Qualifications process to design the sidewalks, and

WHEREAS Lu Engineers has submitted a Professional Services Agreement, a copy of which is attached and made part of this resolution, to complete the requested services for a cost of \$19,907.00,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the proposed Professional Services Agreement with Lu Engineers, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCIL MEMBER SMITH VOTING NAY

Prior to the vote on the foregoing resolution, Council Member Smith asked how many linear feet this involved.

Mr. Mix explained that while he didn't know the exact measurements, the sidewalk is from Public Square to Goodale Street.

Council Member Smith questioned what overhead would cost 146%.

Mr. Mix explained that this was the cost of operating their business.

Council Member Smith questioned that since the salaries are paid for. He also asked why this couldn't be done by the City Engineering Department.

Mr. Hauk explained that this project also involves the utilities under the sidewalk. He advised that the amount of the problem here will be similar to what we had on Public Square.

Council Member Smith commented that one phone call to National Grid and Verizon would determine where the utilities are. He questioned what specific abilities Lu Engineers had that the City doesn't.

Mr. Hauk responded that he has talked to Council about staffing issues before. There are 13 other projects that City staff is currently working on. He also advised that while they might know where the utilities are, they don't know the depths unless a test pit is dug. He reiterated the fact that this project is not just to tear up the sidewalk and put a new one in. The utilities ran through the catch basins on Public Square and they also do here as well.

Council Member Smith stated that he believes that this project could be done in-house and therefore will not support the resolution.

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS the City of Watertown, New York is responsible for providing and maintaining space for the operation of City Court, and

WHEREAS reimbursement for such services is available to the City from the Unified Court System of the State of New York,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Court Cleaning and Minor Repair Program Agreement between the City of Watertown and the State of New York Unified Court System for Fiscal Year 2009-2010, and

BE IT FURTHER RESOLVED that the City Manager, Mary M. Corriveau, is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

Prior to the vote on the foregoing resolution, Council Member Butler asked questions concerning the timing of this.

Mrs. Corriveau explained that this is never done in advance of the state's fiscal year. There has always been a lag time. It was a longer lag time this year because of staff changes. She also explained that the City can only be reimbursed for 25% because the sq. footage of the court area is 25% of the building. The only time the City can be reimbursed 100% is if the service is only for the court, such as court renovations.

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 525 Main Street East, approximately 55' x 140' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 04-03-102.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as

defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$1,050.00 submitted by Sam W. Ratnaransy for the purchase of Parcel No. 04-03-102.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Watertown Development, LLC upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 531 Main Street East, approximately 38' x 75' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 04-03-101.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local

Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$ 600.00 submitted by Sam W. Ratnaransy for the purchase of Parcel No. 04-03-101.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Watertown Development, LLC upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

SECONDED BY COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 659 Main Street East, approximately 83' x 264' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 04-15-103.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$2,100.00 submitted by Mahmut Tandogan for the purchase of Parcel No. 04-15-103.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Watertown Development, LLC upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 575 Water Street, approximately 99' x 165' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 04-16-103.001, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$2,600.00 submitted by Mahmut Tandogan for the purchase of Parcel No. 04-16-103.001, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Watertown Development, LLC upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

THERE WAS NO SECOND TO THE FOREGOING RESOLUTION.

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 563 Water Street, approximately 204' x 165' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 04-16-105.001, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$2,700.00 submitted by Mahmut Tandogan for the purchase of Parcel No. 04-16-105.001, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Watertown Development, LLC upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of

title to the premises to the City.

**SECONDED BY COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED
WITH ALL VOTING YEA EXCEPT COUNCIL MEMBER BUTLER VOTING NAY**

Prior to the vote on the foregoing resolution, Council Member Macaluso asked why Mr. Mahon wrote the letter.

Mayor Graham advised that he had approached Council some time ago about buying the land at private sale. Council decided to auction it instead.

Council Member Macaluso remarked that Mr. Mahon stated he had contacted people.

Mrs. Corriveau reviewed the Assessor's file on the property at 575 Water Street. Mr. Mahon contacted the City in 2000 regarding his desire to purchase the property. On June 8, 2001, the City received a request from Mr. Mahon that was reviewed by staff. Mr. Mahon was sent a letter on August 9, 2001 with a purchase offer to be completed. On May 6, 2002, a written offer was received from Mr. Mahon in the amount of \$300. Council rejected it because it was much lower than the \$4,083 that was derived at by using the formula for sale of industrial parcels. Mr. Mahon was notified.

Mr. Mills advised that he believes he spoke with Mr. Mahon in 2008.

Council Member Butler advised Council Member Macaluso that Council was given a memo explaining that the offer was well below the assessed value at the time. Council Member Butler commented that Mr. Mahon does raise concerns in his letter that he would like to address with him.

Mayor Graham asked that the resolution for 575 Water Street be re-presented at the meeting of February 16th. He also remarked that Mr. Mahon and Mr. Tandogan are both welcome to attend the meeting and asked that letters be sent out to them.

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 555 Water Street, approximately 83' x 165' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 04-16-106.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$1,200.00 submitted by Mahmut Tandogan for the purchase of Parcel No. 04-16-106.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Watertown Development, LLC upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

SECONDED BY COUNCIL MEMBER ROXANNE M BURNS AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCIL MEMBER BUTLER VOTING NAY

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS Timothy F. Titus of Aubertine and Currier on behalf of Hospice of Jefferson County has made an application for Site Plan Approval for the construction of a 19,230 sq. ft. Hospice office and residential center at 1398 Gotham Street, Parcel No. 13-18-103.200, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on September 1, 2009 and recommended that the City Council approve the site plan contingent upon the following:

1. Consideration should be given to adding trees around the perimeter of the 30 space parking lot, changing the ash tree variety specified to different species of trees, and adding trees and foundation plantings around the building.
2. Provide final storm water calculations, storm water management pond calculations, elevations, and a copy of the SWPPP.
3. Provide a copy of all submittals sent to NYS Department of Health for

the water main extension.

4. Per 10 States Recommended Standards for Waste Water Facilities 2004 Edition, the minimum force main diameter shall not be less than 4" if it is to be dedicated to the City. Provide calculations utilizing a 4" diameter force main.
5. Provide a copy of all submittals to NYS DEC for the sanitary sewer Extension.
6. Provide a photometric plan, if lighting is proposed for the site.
7. Provide a copy of the proposed easements for the water main and sanitary sewer to the Engineering Department for approval. The easements shall be obtained from the property owner by the applicant, filed with the County Clerk and a copy sent to the City Engineering Department prior to the dedication of the utility mains to the City.
8. Add another entrance from Gotham Street, emergency access only is acceptable.
9. Move the fire hydrant located near Gotham Street to the rear portion of the western parking lot, and

WHEREAS the County Planning Board reviewed the request on August 25, 2009 and adopted a motion that the project does not have any significant Countywide or inter-municipal issues and is of local concern only, and

WHEREAS the applicant submitted a revised site plan to the Engineering Department on January 25, 2010 that satisfies several of the conditions recommended by the Planning Board, and

WHEREAS the City Council issued a Negative Declaration for this project pursuant to the State Environmental Quality Review Act on January 4, 2010,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that Site Plan Approval is hereby granted to Timothy F. Titus of Aubertine and Currier on behalf of Hospice of Jefferson County for the construction of a 19,230 sq. ft. Hospice office and residential center at 1398 Gotham Street, Parcel No. 13-18-103.200, as shown on the revised plan submitted to the City Engineer on January 25, 2010 with the following conditions:

1. Provide a copy of all submittals sent to NYS Department of Health for the water main extension.
2. Provide a copy of the proposed easements for the water main and sanitary

sewer to the Engineering Department for approval. The easements shall be filed with the County Clerk by the applicant and a copy sent to the City Engineering Department prior to the dedication of the water main to the City.

3. The path on the southerly side of the building shall be paved with 12 feet of asphalt and kept clear for fire vehicles or an alternative for turning fire vehicles around that is acceptable to the Code Enforcement Bureau may be provided in lieu of the 12' wide asphalt drive. A detail of the paved drive shall be submitted for approval of the City Engineer.

and,

BE IT FURTHER RESOLVED that it is an express condition of this site plan approval that the applicant provide the City Engineer with sufficient copies of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Codes Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan which, in the opinion of the City Engineer, would require Amended Site Plan approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Codes Enforcement Officer is requested to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

INTRODCUED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.

WHEREAS a public hearing was held in accordance with Section 93 of the City Charter on February 1, 2010 at 7:30 p.m. to hear public comment concerning whether all or a portion of the cost for proposed sidewalk improvements to the properties identified as 535 Thompson Boulevard and 557 Thompson Boulevard which constitute the Spring 2010 special assessment district, shall be a charge or expense upon the abutting properties, and

WHEREAS the City Council has determined that it shall fix the charge to be paid by the abutting property owner at ***\$5.00** per square foot, with the remaining cost being paid by the City,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, pursuant to Section 93 of the City Charter, hereby fixes the charge to be paid for the proposed sidewalk improvements to 535 Thompson Boulevard and 557 Thompson Boulevard which constitute the Spring 2010 special assessment district to be paid by the abutting property owner at ***\$5.00** per square foot, with the remaining cost being paid by the City.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH

MOTION WAS MADE BY COUNCIL MEMBER BUTLER TO SET THE PER SQUARE FOOT AMOUNT AT \$5.00. MOTION WAS SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING RESOLUTION AS AMENDED AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

WHEREAS the City Council of the City of Watertown, New York, has before it an Ordinance for the Zone Change Application of Vernon Johnson to change the Approved Zoning Classification of 1175 and 1185 Water Street, Parcels No. 04-27-501.006 and 04-27-501.005 from Light Industry to Neighborhood Business, and

WHEREAS the City Council must evaluate all proposed actions submitted for its consideration in light of the State Environmental Quality Review Act (SEQRA), and the regulations promulgated pursuant thereto, and

WHEREAS the adoption of the proposed ordinance would constitute such an “action,” and

WHEREAS the City Council has determined that the proposed ordinance is an “unlisted action” as that term is defined by 6NYCRR Section 617.2(ak), and

WHEREAS to aid the City Council in its determination as to whether the proposed zone change will have a significant effect on the environment, Part I of the Short Environmental Assessment Form has been prepared by the applicant, a copy of which is attached and made part of this resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that

1. Based upon its examination of the Short Environmental Assessment Form in comparison of the proposed action with the criteria set forth in 6NYCRR Section 617.7, no significant impact is known and the adoption of the zone change will not have a significant impact on the environment.
2. The Mayor of the City of Watertown is authorized to execute the Environmental Assessment Form to effect that the City Council is issuing a negative declaration under SEQRA.
3. This resolution shall take effect immediately.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

THE RESOLUTION “AUTHORIZING A SPECIAL USE PERMIT TO ALLOW A SWEAT FURNACE OPERATION AT 301 PEARL STREET, PARCEL NO. 04-01-101.00 WS PRESENTED TO COUNCIL (Introduced on January 19, 2010; public hearing held this evening; appears in its entirety on page of the 2010 Minutes Book).

Prior to the vote on the foregoing resolution, Mayor Graham remarked that this use for the property seems reasonable at this point in time.

Council Member Smith remarked that in terms of the SEQRA, he has given this a hard look. He would like to commend the business owners for their insight and going above and beyond by using smelters that exceed EPA requirements. He commented that we need job growth and development in the City.

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING RESOLUTION AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

ORDINANCES

INTRODCUED BY COUNCIL MEMBER JEFFREY M. SMITH

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital purposes; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of Watertown, Jefferson County, New York, as follows:

Section 1. For the class of objects or purposes of paying the cost of the construction or reconstruction of sidewalks at various locations within the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$50,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$50,000 and that the plan for the financing thereof is by the issuance of the \$50,000 bonds of said City authorized to be issued pursuant to this bond ordinance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is ten years, pursuant to subdivision 24 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Watertown, Jefferson County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied upon abutting property owners of such sidewalks a special assessment to pay such portion of the principal of and interest on such obligations, as the same become due and payable, as shall be established in proceedings under Section 93 of the City Charter.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Watertown, Jefferson County, New York, by the manual or facsimile signature of the City Comptroller and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of

validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This ordinance, which takes effect immediately, shall be published in full in the Watertown Daily Times, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER AND CARRIED WITH ALL VOTING YEA

UNANIMOUS CONSENT MOVED BY COUNCIL MEMBER SMITH, SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

THE ORDINANCE “APPROVING THE ZONE CHANGE REQUEST SUBMITTED BY VERNON JOHNSON, TO CHANGE THE APPROVED ZONING CLASSIFICATION OF 1175 WATER STREET AND 1185 WATER STREET, PARCELS NUMBER 04-27-501.006 AND 04-27-501.005, FROM LIGHT INDUSTRY TO NEIGHBORHOOD BUSINESS” (Introduced on January 19, 2010; public hearing held this evening; appears in its entirety on page of the 2010 Minutes Book).

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING ORDINANCE AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

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COUNCIL DISCUSSED THE FOLLOWING TOPICS:

Sewer Vac

Council Member Smith asked who purchased this.

Mrs. Corriveau will find out from Mr. Cleaver.

Assignment of Tax Sale Certificate

Council reviewed the memo relative to the tax sale certificate for VL-9 Arsenal Street. The City was the bidder by default.

Mrs. Corriveau asked if this is a piece that we want to keep for an entrance sign to the City.

Mayor Graham suggested just letting it run its course. He also remarked that if we did anything, Council would want to consider an auction.

Attorney Slye advised that the City would want to keep rights for a sign.

Mrs. Corriveau advised that two people have expressed interest in it, Mr. Katzman representing the plaza and also a tenant of the plaza.

Council concurred with Mayor Graham's suggestion of letting it run its course.

Employee Assistance Program

Referring to the report on the EAP, Council Member Smith asked about costing it out for individuals.

Mrs. Corriveau responded that they won't do it that way. They usually do up to 6 sessions and then do a referral.

Mayor Graham asked that a resolution for this be prepared for the next Council meeting.

Parking, 600 Block of Gotham Street

Mayor Graham advised that there is a report on this in the agenda. It indicates that there does not appear to be a problem with vehicular access in the area, with traffic able to pass in both directions.

JCIDA Inducements – Sales Tax/Mortgage Tax

Mayor Graham advised that there will be a JCIDA public hearing on a request submitted to them by Mr. Donegan concerning the Hilton Garden Inn development. He remarked that if anyone on Council wants to go to the hearing, they are welcome to do so. He asked that this topic be placed on the work session agenda for next week.

Downtown Banners

Council Member Burns asked for an update on the company doing the downtown banners that were not received.

Mrs. Corriveau advised that she had spoken with the Attorney General's office and they are actively working on resolving the issue.

Salt Budget

Council Member Burns asked for the status of this.

Mrs. Corriveau advised that we have used approximately 1700 ton. Last year, the City used approximately 2800 ton. The City is committed to that amount from the state this year.

Pixler Claim

Council Member Burns asked the City Clerk to re-read the notice of claim from Mr. & Mrs. Pixler. The City Clerk will send a copy of the claim to Council Members.

Water Department Service

Council Member Butler commented that he had been told by a constituent that they had received excellent customer service from a Water Department employee

ADJOURNMENT

**AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 9:08 P.M.
BY MOTION OF COUNCIL MEMBER BURNS, SECONDED BY COUNCIL MEMBER
BUTLER AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

Donna M. Dutton
City Clerk